



# Forest Heights Police Department Policy and Procedures Manual

Subject:	Paid Leave – Annual, Sick, Holiday, Military, etc.			
General Order No.	2016-1	Effective Date:	January 1, 2016	
Chapter: 6	Section: 1	Number of Pages:	5	Replaces: GO 2003-73, 2003-11, 2003-75, SO 07-004
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## A. Purpose

To establish an annual leave policy for Forest Heights Police Department (FHPD) sworn and civilian employees.

## B. Authority

1. The Forest Heights Town Mayor and the Town Council, acting under Section 2.7 of the Town Ordinance Code and Employee Handbook, established the rate annual leave and sick leave is earned and how it may be taken.
2. The FHPD will allow employees to use paid leave when in conformance to this directive. Some paid leave is accrued based on the number of hours worked. Overtime and compensatory hours cannot be used to calculate the number of leave hours earned; however, time spent on paid leave will be considered work time for this purpose.

## C. Definitions

IMMEDIATE FAMILY: A husband, wife, child, father, sister and brother.

PAID LEAVE: annual leave, sick leave, bereavement leave, holiday leave, military leave, religious observance leave, disaster service leave, organ donation leave, and jury duty leave.

RELATIVES: aunts and uncles of the employee or spouse; nephews and nieces of the employee or spouse; brothers-in-law and sisters-in-law of the employee or spouse; sons-in-law and daughters-in-law of the employee or spouse.

WORKWEEK: The number of hours regularly scheduled to be regularly worked during any five consecutive days by an individual employee. The term "workweek" is only applicable to civilian employees.

## D. Requests for Leave

1. Leave that is required to be earned may only be used if already accrued; however, nothing prohibits the future approval and scheduling of anticipated leave.
2. When an employee requires additional leave in excess of what he may be entitled to, supervisors will make reasonable efforts to arrange for the employee take another form of appropriate leave.
3. With the exception of unscheduled sick leave all leave requires written approval prior to being used.
  - a. An employee requesting to use paid leave will notify his supervisor as soon as possible.
  - b. Unless otherwise specified in this policy, or if it is impractical to do so, all requests to use paid leave will be submitted on a Request for Leave. This is in addition to any other required written request or documentation.
  - c. Requests for leave should be approved or denied as soon as practical.
  - d. Supervisors will make every effort to grant leave; requests will be approved consistent with the operational needs of the FHPD and will not be unreasonably denied.

## E. Annual Leave

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1. An employee may use annual leave for any purpose, but only after obtaining approval from his supervisor.
2. An employee may not use annual leave until the employee has completed six months of consecutive satisfactory service.
3. This chart depicts the rate at which annual leave is earned:

Years of Service	Earning per Pay Period	Max Annual Leave Earned Per Year
Less than 4	4 hour	104 hours
4-6	5 hours	130 hours
6 or more	6 hours	156 hours

4. Annual leave will not be earned for work of less than a full pay period.
5. Annual leave may be accrued up to one year's accumulation, with the number of hours determined by the years of service, i.e., 104, 130 or 156 hours. Annual leave earned in excess of this amount must be used in the year earned or forfeited at the beginning of the first full pay period of the next calendar year.
6. An employee will not be compensated for annual leave that was forfeited because he was on sick, administrative or accident leave.
7. An employee who separates from the FHPD will be compensated for a maximum of a year's accumulation, plus any annual leave which was accrued, but not used during his final year of employment.
8. An employee who is terminated for a cause involving moral turpitude will forfeit all unused annual leave and related compensation.
9. An employee who separates from the FHPD within six months of his original appointment will forfeit all unused annual leave and related compensation.
10. Requesting Annual Leave
  - a. Annual leave requests will be approved by a supervisor, the Chief or the Chief's designee and reported to the Personnel Officer.
  - b. Annual leave for less than two weeks will be requested a minimum of 24-hours in advance of the employee's next scheduled shift, via a Leave Request Form.
  - c. Requests for leave for two weeks or more will be made a minimum of 30 calendar days in advance of the first day of requested annual leave.

### **F. Sick Leave**

1. Sick leave may only be used for:
  - a. an illness or disability of the employee;
  - b. an illness, disability or death of family members who are listed in subsection G. below;
  - c. the birth of the employee's child;
  - d. when a child is placed for adoption with the employee; or
  - e. a medical appointment of the employee or the employee's immediate family.
2. Sick leave days may be used in the event of the death of a member of the employee's immediate family, in addition to funeral leave.
3. A maximum of one sick leave day may be used in the event of the death of a relative of the employee.
4. Sick Leave Accrual
  - a. An employee will be credited with one sick day per each month worked, or as is consistent with the Employee Handbook.

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- b. There is no limit on the number of sick leave days an employee can accumulate and carry over from one calendar year to the next.
5. Unused Sick Leave - An employee who separates from the FHPD will forfeit any unused sick leave.
6. Sick Leave Use
  - a. Requests for sick leave will be made a minimum of one hour prior to the start of a shift to a supervisor or if a supervisor is not available to the Chief. If neither is available the employee will leave a detailed message on the police station's answering machine.
  - b. Employees on sick leave for more than three (3) consecutive days will submit a medical practitioner's written documentation justifying the sick leave to receive payment for the days not worked. This may be waived on a case-by-case basis at the discretion of the Chief.
  - c. The following guidelines are to be followed when an employee requests sick leave:
    - (1) The employee will not be asked to provide information regarding his diagnosis or condition.
    - (2) Unless other arrangements have been made with the employee's supervisor, the employee will call each day sick leave is taken until the employee notifies his supervisor of the date he will return to duty.
    - (3) If sick leave is planned in advance (i.e. a doctor's appointment or surgery), the employee will give his supervisor reasonable notice.
7. Officers who become ill during a tour of duty will notify a supervisor or the Chief prior to leaving their tour of duty. Officers who, while on-duty, go to the emergency room of the nearest hospital for treatment will inform the Chief of their situation as soon as possible.

### **G. Bereavement Leave**

An employee may use up to three days in state and five days, out of state of funeral leave upon the death of the following immediate family members of the employee:

1. Spouse of the employee.
2. Children of the employee, including foster and step children.
3. Parents of the employee, including step and foster parents.
4. Brothers and sisters of the employee.
5. Grandparents of the employee.
6. Grandchildren of the employee.
7. Corresponding in-law relationships.

### **H. Holiday Leave**

1. This chart lists each holiday for which an employee is entitled leave.

<b>Holiday Name</b>	<b>Date Normally Observed</b>
New Year's Day	January 1 <sup>st</sup>
Martin Luther King, Jr.'s Birthday	January 15 <sup>th</sup>
Inauguration Day	January 20 (every 4 years)
President's Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day	2 <sup>nd</sup> Monday in October
Veteran's Day	November 11 <sup>th</sup>
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Christmas Day	December 25 <sup>th</sup>

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2. If an officer works the day before, the day of, and the day after a holiday the officer will be paid time and a half for the holiday. If an officer works the day before and the day of the a holiday the officer will receive regular pay for the holiday and 8-hours of compensatory time.
3. Civilian and sworn personnel providing non-essential services should be scheduled off on legal holidays on the normally observed dates. Offices providing non-essential services should be closed.
4. An employee will use holiday leave on the day the holiday occurs, subject to the following conditions:
  - a. If the holiday occurs on a Saturday, holiday leave will be taken on the Friday immediately before the holiday.
  - b. If the holiday occurs on a Sunday, holiday leave will be taken on the Monday immediately following the holiday.
5. A civilian employee who is required to work on a holiday will carry the actual hours worked on his time sheet. The holiday will be rescheduled during the pay period in which the holiday occurred and the employee will record eight hours of holiday leave for the rescheduled holiday.

### **I. Military Leave**

An employee who is a member of a national guard or military reserve component of the armed forces is entitled to 120-hours of military leave per year for military training without charge against any accrued leave.

### **J. Religious Observance Leave**

1. In those instances when holiday, annual, or other forms of leave do not provide for exercise of an employee's religious beliefs, religious observance leave may be requested.
2. An employee may submit to his supervisor, a request to work extra time to compensate for time off for a religious observance.
3. Requests for religious observance leave should conform with legitimate convictions and be consistent from one year to the next.
4. An employee who requests the use of religious observance leave must notify his supervisor in writing at least 60 days prior to the date of the religious observance. Once received, the employee's supervisor will forward the request to the employee's commander or director for approval.
5. Approved requests will be forwarded to the Town Administrator and included as a permanent record in the employee's personnel file.
6. If a modification in a work schedule does not interfere with the efficient operation of the FHPD, the Chief will permit the employee to work the extra time to be used for a religious observance. The extra time worked will be counted as compensatory time.
7. The employee's supervisor will be responsible for establishing a schedule for the employee to work the necessary compensatory time prior to the date of the religious observance. The schedule will not interfere with FHPD operations, nor create an undue hardship on the employee.
8. If compensatory time for a religious observance is earned or used, the employee will make a notation on the time sheet stating the compensatory time is for a religious observance.
9. This section does not apply to employees who provide 24-hour service.

### **K. Disaster Service Leave**

1. An employee is entitled to 15 days of disaster service leave in any 12-month period without charge against any accrued leave if:
  - a. the employee is certified by the American Red Cross as a disaster service volunteer;

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- b. the American Red Cross requests the services of the employee during a disaster that is designated at Level II or above, as defined by the National Office of the American Red Cross; and
  - c. the disaster occurs in the state of Maryland or any adjoining state.
2. Prior to disaster service leave being used, the employee must submit a written request to the Chief. The Chief to the Town Administrator will submit the written request.
3. If a reasonable accommodation for disaster service leave cannot be approved because it would interfere with the efficient operations of the FHPD, the request will be denied.
4. Upon an employee's return to work, the employee will present to the Chief, written documentation from the American Red Cross certifying the employee's participation as a disaster service volunteer. Failure to provide documentation may result in the employee's absence being converted to unauthorized leave without pay.
5. An employee will continue to accrue seniority and leave and will not lose any health insurance benefits during his disaster service leave.
6. For the purposes of worker's compensation and the Maryland local government Tort Claims Act, an employee is not considered a Forest Heights Town employee while using disaster service leave.

#### **L. Organ Donation Leave**

1. In any 12-month period, an employee may use organ donation leave without charge against any accrued leave. Organ donation leave may be approved for up to:
  - a. seven days to serve as a bone marrow donor; and
  - b. 15 days to serve as an organ donor.
2. Organ donation leave may be used for the preparation of the donation procedure, the actual donation procedure and recovery from the donation procedure.
3. Prior to organ donation leave being used, the employee or the employee's authorized representative must submit to the Chief a written request for organ donation leave and medical documentation verifying the donation. The Chief will submit the written documentation to the Town Administrator for approval.
4. The Town Administrator must render a decision within five working days of receiving the request. If an employee must make the donation before receiving the approval, the leave will be provided retroactively, provided that such leave may be limited to seven days.

#### **M. Jury Duty Leave**

1. When an employee's jury service occurs on his scheduled workday, the employee is entitled to jury duty leave, without charge against any accrued leave.
2. An employee who is selected for jury duty will immediately notify his supervisor or the Chief .
3. When public interest requires the employee not to be absent from his FHPD duties, the Chief may request that the court excuse the employee from jury duty.
4. An employee, who is scheduled for a shift other than day shift, will be reassigned to day shift in order for the employee to attend court.
5. if an employee is not needed for jury duty and he is dismissed early, he will return to work, if time permits.
6. Money received by an employee for jury duty may be retained by the employee and does not need be reported to the FHPD.